

3528.38.US00

# TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

09/171854

INTERNATIONAL APPLICATION NO.

PCT/DE97/00814

INTERNATIONAL FILING DATE

April 23, 1997

PRIORITY DATE CLAIMED

April 24, 1996

TITLE OF INVENTION

IDENTIFICATION OF NUMERICAL CHANGES IN CELL DNA

APPLICANT(S) FOR DO/EO/US

Stefan JOOS and Peter LICHTER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. **(3 pages)**
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau). **(15 pages - 2 shts Drwgs)**
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)). **(17 pgs; 2 pgs amended claims; and 2 shts drwgs)**
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☒ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). **(2 pages)**
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☒ A substitute specification, **2 shts drwgs; and transmittal letter (15 pages)**
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: **copy of International Search Report (PCT/ISA/210 - 4 pages); and copy of first page to publication of the PCT application under No. WO 97/40185. International Preliminary Examination Report (6 pages)**

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## CALCULATIONS PTO USE ONLY

17. ☒ The following fees are submitted:

## BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$1070.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$930.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$790.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$720.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$98.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 930.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	8 - 20 =	0	x \$22.00
Independent claims	1 - 3 =	0	x \$82.00
			+ \$270.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			
TOTAL OF ABOVE CALCULATIONS =			\$ 930.00
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).			+
SUBTOTAL =			\$ 930.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$
TOTAL NATIONAL FEE =			\$ 930.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +			\$
TOTAL FEES ENCLOSED =			\$ 930.00
			Amount to be refunded: \$
			charged: \$

\$

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TOTAL NATIONAL FEE =			\$ 930.00
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TOTAL FEES ENCLOSED =			\$ 930.00
			Amount to be refunded: \$
			charged: \$

\$ 0.00

\$ 0.00

\$

\$ 930.00

\$

\$ 930.00

\$

\$ 930.00

\$

\$ 930.00

Amount to be refunded: \$

charged: \$

a. ☒ A check in the amount of \$ 930.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-3038. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**Albert P. Halluin**  
**HOWREY & SIMON**  
1299 Pennsylvania Avenue, N.W.  
Box 34  
Washington, D.C. 20004  
Telephone: 650/463-8100  
Facsimile: 202/383-7195

SIGNATURE

for Albert P. Halluin

NAME

25,227  
REGISTRATION NUMBER

091979851

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

10/29/1998 WCLAYBRD 00000051 09171854

01 FC:970 930.00 GP

07/26/1999 WCLAYBRD 00000014 083038 09171854

01 FC:968 270.00 CH